



Order Filed on June 14, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

Albert Russo
CN 4853
Trenton, New Jersey 08650
(609) 587-6888
Standing Chapter 13 Trustee

In Re:

SCOTT D. STEARNS
NAOKO STEARNS
Debtors

Case No: 20-14541 MBK

Chapter 13

Hearing Date: June 12, 2024 @ 9:00 AM

Chief Judge Michael B. Kaplan

ORDER APPROVING SETTLEMENT AND DISBURSEMENT

The relief set forth on the following page, numbered two (2) through three(3) is hereby ORDERED

DATED: June 14, 2024



Honorable Michael B. Kaplan
United States Bankruptcy Judge

THIS MATTER having been opened to the Court upon Albert Russo, Standing Chapter 13 Trustee's Notice of Motion for Approval of Settlement, in resolution of a provision of Confirmation requiring the sale of debtor's property located in the Country of Belize; and, it appearing that this Court has jurisdiction over the parties and over the subject matter of this Motion; and, the Court having considered the pleadings in this matter and the argument of counsel and good cause appearing for the entry of the within Order:

WHEREAS the Debtors own a legal interest in two (2) pieces of undeveloped land in Belize: (1) Sanctuary Belize - Sapodilla Ridge Lot SR229 ("SR229"); and (2) through an LLC named S.D. Stearns Holdings, LLC, Sanctuary Belize, Sapodilla Ridge Lot E35 ("E35") (collectively "Belize Properties").

AND WHEREAS, on April 7, 2021, the Court entered an Amended Order Confirming Chapter 13 Plan (the "Amended Order Confirming Plan") (ECF 61) which provided, in part that the "Trustee and the debtors reserve on the determination of the equity on the Belize properties. The debtors are to provide proof of equity on these properties and sell by 12/31/2021, with the Trustee to receive non-exempt proceeds."

AND WHEREAS, on November 22, 2023, the Debtors filed a Notice of Proposed Settlement of Controversy relating to "redress payments" relating to the Belize Properties and a Federal Receivership on the Belize Properties. ECF 75.

AND WHEREAS, on December 21, 2023, the Clerk of the Court filed a Certification of No Objection to the Notice of Settlement. ECF 77.

IT IS HEREBY ORDERED that the settlement is fair and in the best interests of the Debtor(s) and the creditors of the bankruptcy estate, and thus, is approved and authorized; and

IT IS FURTHER ORDERED that:

- a. The Debtors are required to continue to make trustee payment under the Confirmation Order, specifically \$3,595.00 beginning 5/1/24 for 11 months.
- b. The Debtors will remit a lump sum payment of \$10,000 within 60 days of the date of this Order.
- c. The Debtors will remit an additional total amount of \$20,000 on or before February 1, 2025 (month 59 of the Plan).
- d. Debtors shall not be required to sell the Belize property in order to complete their confirmed plan. However, if the Debtors sell any or all of the Belize property, on or before completion date of payments under the plan, then the Trustee reserves the right to require the non-exempt proceeds of such sale as an addition to the payments due under the plan.